

On December 21, 2021, the court granted defendant’s motion to dismiss the Magnuson-Moss Warranty Act claim, the only federal claim alleged. A federal court may retain jurisdiction over state-law claims, notwithstanding that all federal claims have been dismissed. *Rodriguez v. Doral Mortg. Corp.*, 57 F.3d 1168, 1177 (1st Cir. 1995). In such a situation, the court should “take into account concerns of comity, judicial economy, convenience, fairness, and the like.” *Roche v. John Hancock Mut. Life Ins. Co.*, 81 F.3d 249, 257 (1st Cir. 1996). Here, where fact discovery has been completed, and the federal and state claims were closely interconnected, retaining jurisdiction over the remaining state-law claims would appear to promote judicial economy and fairness.

Alternatively, diversity jurisdiction appears to exist pursuant to 28 U.S.C. § 1332. According to the complaint, plaintiff is a citizen of Massachusetts, while defendant has its principal place of business in New Hampshire. (Compl. ¶¶ 1, 18). Defendant appears to be incorporated in Delaware. The complaint alleges that plaintiff sustained serious injuries to his leg, as well as economic and emotional damages, resulting from the faulty discharge of a firearm. (Compl. ¶ 8; Compl. at 38). While the complaint does not quantify these damages, they likely exceed \$75,000.

Under the circumstances, the Court will continue to exercise subject-matter jurisdiction over this dispute, pending further order of the Court. Any party who wishes to be heard on that issue may file a response within 14 days of the entry of this Order.

**So Ordered.**

Dated: February 17, 2023

/s/ F. Dennis Saylor IV  
F. Dennis Saylor, IV  
Chief Judge, United States District Court